



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Receive Register of Claims Dated January 20, 1993
in the Amount of \$1,674,622.77

MEETING DATE: January 20, 1993

PREPARED BY: Finance Director

RECOMMENDED ACTION: That the City Council receive the attached Register of Claims.

BACKGROUND INFORMATION: Attached is the Register of Claims in the amount of \$1,674,622.77 dated January 20, 1993.

FUNDING: As per attached report.


H. D. Flynn
Finance Director

HDF:ss

Attachment

APPROVED



THOMAS A. PETERSON
City Manager



recycled paper

COUNCIL REPORT
January 20, 1993

TO: CITY MANAGER
FROM: FINANCE DIRECTOR
SUBJECT: Certification of claims and authorization to issue checks. Attached is the register of claims to be approved at the regular meeting of the City Council on January 20, 1993.

FUND	DESCRIPTION	CLAIMS 12/31/92	CLAIMS 1/07/93	PAYROLL 1/03/93	INTER TRANSFER FUND	TOTAL DISBURSEMENTS
		.00	.00	.00	.00	.00
10	GENERAL	144,928.63	123,994.94	469,756.03	30,083.18	708,596.42
10-85	General Holding	60,076.50	223,842.81	.00	.00	283,919.31
11	Stores Inventory	3,238.81	10,055.30	.00	446.36	12,847.75
12	Equipment	.00	10,372.69	.00	.00	10,372.69
13	Refuse Surcharge Fund	.00	.00	.00	.00	.00
16	Electric Utility	31,145.02	20,628.99	69,260.33	16.27	121,018.07
16.1	Utility Outlay Reserve	992.43	9,064.79	4,797.79	.00	14,855.01
16-90	Electric Inventory	8,151.26	5,841.52	.00	.00	13,992.78
17	Sewer Utility	9,927.15	357,730.04	21,026.55	469.37	388,214.37
17.1	Sewer Utility - Capital Outl	42.28	258.97	.00	.00	301.25
17.2	Waste Water Capital Reserve	1,884.93	246.64	.00	.00	2,131.57
17-90	Sewer Inventory	.00	360.42	.00	.00	360.42
18	Water Utility	4,379.70	18,956.30	14,781.75	16,681.20	21,436.55
18.1	Water Utility Capital Outlay	94.70	40.00	1,427.49	.00	1,562.19
18-90	Water Inventory	.00	3,219.97	.00	.00	3,219.97
21	Library	1,866.81	412.96	17,954.00	.00	20,233.77
21.1	Library Capital Outlay	.00	.00	.00	.00	.00
22	Camp Hutchins	.00	.00	.00	.00	.00
23	Asset Seizure Fund	.00	.00	.00	.00	.00
27.0	LTD - Self Insurance	.00	.00	.00	.00	.00
28	Medical Insurance	.00	.00	.00	.00	.00
29	Employee Benefits	5,819.94	.00	.00	.00	5,819.94
30	PL & PD Insurance	225.00	2,384.84	.00	.00	2,609.84
31	Workers Compensation	5,799.38	347.00	.00	.00	6,146.38
32	Gas Tax - 2107	550.97	391.59	.00	942.56	.00
33	Gas Tax - 2106	.00	.00	.00	.00	.00
35	Deferred Compensation Fund	.00	.00	.00	.00	.00
36	Gas Tax - 2150	.00	.00	.00	.00	.00
37.0	SB300-Transportation Partner	.00	.00	.00	.00	.00
41	Bond Interest & Redemption	.00	.00	.00	.00	.00
44.3	1988 State Park Bond Fund	.00	.00	.00	.00	.00

FUND	DESCRIPTION	CLAIMS 12/31/92	CLAIMS 1/07/93	PAYROLL 1/03/93	INTER TRANSFER FUND	TOTAL DISBURSEMENTS
45.1	HUD - 1985/1986	.00	.00	.00	.00	.00
45.2	HUD 87-88	.00	.00	.00	.00	.00
45.3	HUD 88-89	.00	.00	.00	.00	.00
45.4	HUD 89-90	.00	.00	145.60	.00	145.60
45.5	HUD - 1990/91	.00	.00	.00	.00	.00
45.6	HUD 1991-1992	.00	.00	.00	.00	.00
46	Industrial Way & B'Man Devel	.00	.00	.00	.00	.00
47	Industrial Way & B'man Rd. #	.00	.00	.00	.00	.00
48.2	Turner/Cluff Bond Redemption	.00	.00	.00	.00	.00
49	UDID Improvements	11,975.00	.00	.00	.00	11,975.00
60.1	IMF WATER FACILITIES	.00	.00	.00	.00	.00
60.2	IMF SEWER FACILITIES	.00	.00	.00	.00	.00
60.3	IMF STORM FACILITIES	.00	.00	.00	.00	.00
60.4	IMF STREET FACILITIES	.00	.00	.00	.00	.00
60.7	IMF PARKS & REC FACILITIES	.00	.00	.00	.00	.00
60.8	IMF General Facilities & Adm	.00	.00	.00	.00	.00
72	Subdivision Reserves Fund	.00	.00	.00	.00	.00
75	Subdivisions	.00	.00	.00	.00	.00
120	Community Center	439.00	191.79	5,483.89	.00	6,114.68
120.1	Hutchins Street Square Capit	.00	.00	.00	.00	.00
120.2	Hutchins St Sq Holz Bequest	.00	.00	.00	.00	.00
121	Capital Outlay Reserve	3,236.34	20,770.67	440.90	.00	24,447.91
122	Utility Outlay Reserve	.00	.00	.00	.00	.00
123	Master Drainage Program	.00	.00	.00	.00	.00
123.1	Master Storm Drain - AB1600	.00	.00	.00	.00	.00
124	Transportation Development A	.00	.00	.00	.00	.00
125	Dial-A-Ride	40.00	433.44	9,032.70	.00	9,506.14
126	Federal Urban "D"	.00	.00	.00	.00	.00
126.1	Transportation (FAU-SC)	.00	.00	.00	.00	.00
128	Local Trans-Pedestrian/bike	.00	.00	.00	.00	.00
134	Hotel & Motel Tax	.00	.00	250.80	.00	250.80
140	Reserve - Cost of Labor & Mt	.00	.00	.00	.00	.00
141	Expendable Trust	.00	4,544.36	.00	.00	4,544.36
FINAL TOTALS						
TOTAL		294,813.85	814,090.03	614,357.83	48,638.94	1,674,622.77

I certify to the best of my knowledge that each claim prepared from the register listed above is accurate in amount, and the register is listed accurately by fund.

Barbara Klajcs Account Clerk

Bill Gemmo Mayor

Jennifer M. Pesaru City Clerk

INTERFUND TRANSFER

SUMMARY

CITY UTILITY BILLS	48,026.22
PETTY CASH REIMBURSEMENTS	<u>612.72</u>
	48,638.94



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Report on procedure for Payment of Claims

MEETING DATE: January 20, 1993

PREPARED BY: City Manager

RECOMMENDED ACTION: None required. Information only.

BACKGROUND INFORMATION: At the regular meeting of December 16, 1992 and January 6, 1993, Councilmember Davenport questioned the manner in which City bills and payroll is made.

The City Attorney has prepared memos addressing this issue and they are attached (Exhibit A and B).

In an effort to determine what is the generally accepted practice in some other area public agencies, I contacted 10 such agencies. The cities of Tracy, Manteca and Escalon follow a practice identical to the City of Lodi. The others: Stockton, Ripon, Lathrop, Galt, Modesto, Merced and the County of San Joaquin do not put the item on the agenda.

In addition to unnecessarily inconveniencing vendors, many of them local, who do business with the City of Lodi by making them wait up to two to three weeks longer for their payment, the City would also lose a considerable portion of its vendor discounts. Some vendors give percentage discounts if they receive payment within a specified period. This loss would be in the area of \$3,500 - \$4,500 annually.

The February 2, 1993 "Shirtsleeve" topic will be a review of various City Council procedural policies. The Council may wish to discuss how this item is to be addressed in the future.

FUNDING: None required

Respectfully submitted,

Thomas A. Peterson
City Manager

TAP:br

Attachments

CCCOM700/TXTA.07A

APPROVED: _____

THOMAS A. PETERSON
City Manager



CITY OF LODI
MEMORANDUM FROM THE OFFICE OF THE CITY ATTORNEY

EXHIBIT A

=====
To: The Honorable Mayor and Council Members
City Manager
Finance Director
From: Bob McNatt, City Attorney
Date: January 7, 1993
Subject: CONSENT CALENDAR ITEM: "CLAIMS"

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SITUATION

On the "Consent" calendar portion of each City Council meeting agenda is an item denominated "Claims". Under this item, the Council is asked to ratify payments previously made for such expenses as payroll, bulk electric power purchases, etc. Concerns have been expressed by Councilmember Davenport that because the Council does not approve these payments in advance, but only ratifies them afterward, the methodology may be illegal. A staff response on this matter has been requested by the Council.

ANALYSIS

Limits on and grants of authority regarding municipal financial affairs are found in various places throughout California law. The cornerstone of municipal authority is Article 11, Section 7 of the California Constitution which grants general authority to cities for all "municipal affairs"; this has been interpreted to include fiscal policies (Cramer v. San Diego 330 P.2d 235).

Other examples of provisions covering municipal fiscal matters include California Constitution Article 13A(1) [limits on property taxes], California Constitution Article 16, Section 18 [debt limits], and Chapter 4 of Division 3 of the California Government Code (commencing with Section 37200) covering municipal financial powers generally.

The most relevant statute on this topic is Government Code Section 37208 (copy attached) which addresses payments for the type of claims at issue here. This statute clearly provides that payment of claims for payroll and items "conforming to a budget approved by ... the legislative body need not be audited by the legislative body prior to payment" (emphasis added).

Although I don't believe the City Clerk usually "certifies" that the claims conform to an approved budget as referred to in subsection (b) of this statute, our situation may simply be an example of a past Council's exercise of its discretion to modify the statutory plan.

Under subsection (c) of this statute, the Council could choose to "ratify" the payments (i.e., approve after the fact) once a year in the form of an audited comprehensive financial report and dispense entirely with having the "Claims" item on each Council agenda. In fact, the City Council now

Honorable City Council Members,
City Manager and Finance Director
January 7, 1993
Page Two

receives such an annual audit report which includes all the same items previously presented under "Claims". It appears this would satisfy the criteria in subsection (c).

CONCLUSIONS AND OPINIONS

It is my opinion that the City's present "claims" procedures are legal. I suspect that this item has appeared on the agenda for as long as anyone can recall because some previous Council wanted frequent updates on City expenditures.

It does not appear the City is required to have a "Claims" item on each agenda. In doing so, the City appears to be acting within its discretion. I am aware of some cities which do not customarily put such items on Council agendas at all, choosing instead to approve the once-annual financial audit. Conversely, I have been told that some cities choose to have the Council approve all warrants beforehand. I offer no opinion as to the desirability of any of these approaches.

Respectfully submitted,



BOB McNATT
City Attorney

BM:vc

attachment
cc: City Clerk
CCCLAIMS/TXTA.01V

§ 37208. Payroll warrants or checks; warrants or checks in payment of budgeted demands; audit; ratification and approval

(a) Payroll warrants or checks need not be audited by the legislative body prior to payment. Payrolls shall be presented to the legislative body for ratification and approval at the first meeting after delivery of the payroll warrants or checks.

(b) Warrants or checks drawn in payment of demands certified or approved by the city clerk as conforming to a budget approved by ordinance or resolution of the legislative body need not be audited by the legislative body prior to payment.

(c) Notwithstanding subdivisions (a) and (b), budgeted payrolls and demands paid by warrants or checks may be presented to the legislative body for ratification and approval in the form of an audited comprehensive annual financial report.

(Added by Stats.1949, c. 79, p. 154, § 1. Amended by Stats.1959, c. 1775, p. 4259, § 1; Stats.1970, c. 261, p. 525, § 2; Stats.1980, c. 770, p. 2286, § 2; Stats.1986, c. 982, § 14.)

Historical Note

The 1959 amendment added the second paragraph in its present form except as modified by the subsequent three amendments.

The 1970 amendment, in the first sentence of the second paragraph, inserted "or resolution".

The 1980 amendment inserted "or checks" throughout the section; and, in the second sentence of the second paragraph, substituted "warrants" for "warrant".

The 1986 amendment inserted subdivision designations; deleted the second sentence of subd. (b) which provided: "Budgeted demands paid by warrant prior to audit by the legislative body shall be presented to the legislative body for ratification and approval at the first meeting after delivery of the warrants."; and added subd. (c).

Derivation: See Derivation under § 37206.

Forms

See West's California Code Forms, Government.

§ 37209. Transfer of city clerk's duties to director of finance; ordinance

The duties imposed upon the city clerk by this article may be transferred to a director of finance when such office has been established and the powers and duties thereof defined by ordinance. Such an ordinance shall require the execution by the director of finance of the bond required of the city clerk by Section 36518 of this Code.

(Added by Stats.1955, c. 1754, p. 3242, § 1.)

Library References

Municipal Corporations ¶170.

C.J.S. Municipal Corporations § 545.

Sovereign Immunity study, 5 Cal. L. Rev. Comm. Reports 299, 421 (1963).

§ 37210. Newly incorporated cities; issuance of temporary nonnegotiable notes; repayment

Newly incorporated cities that have not received revenues from property taxes may issue temporary non-negotiable notes bearing interest at a rate not exceeding 6 percent per annum to pay lawfully incurred current expenses and

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CITY OF LODI
MEMORANDUM FROM THE OFFICE OF THE CITY ATTORNEY
=====

EXHIBIT B

To: The Honorable Mayor and Council Members
City Manager
Finance Director

From: Bob McNatt, City Attorney

Date: January 13, 1993

Subject: CONSENT CALENDAR "CLAIMS" PROCEDURES

=====

This is intended as a supplement to my memo of January 7, 1993 on the above topic. A question has been raised as to the effect of Government Code Section 37202 (attached) on the situation. Although reasonable minds could differ as to the effect of this statute, I don't believe it changes my overall conclusion that Lodi's handling of consent calendar claims items is proper.

The specific language contained in Section 37202 which raises the question states "... the legislative body shall approve or reject demands only after such demands have been audited ..." (emphasis added). If that was all the statute said, I would probably agree that State law might require prior approval of all City expenditures or payment of "demands".

However, the Section begins by stating "[e]xcept as provided in Section 37208 ..." In my memo of January 7, 1993, it was concluded that Lodi is in compliance under Section 37208. One of the distinctions between these two statutes is that Section 37202 does not refer to payment of demands under a previously-adopted budget. When these two statutes are read together, I believe the logical conclusion is that cities have an option of how they choose to pay their bills.

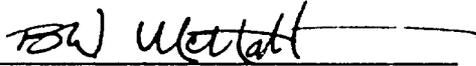
As I have previously said, I am unaware of any State law which requires a city to adopt an annual budget. In such circumstances, I assume that Section 37202, which requires prior Council approval of all demands for items which are not contained in a formal budget, would apply.

On the other hand, cities could choose under Section 37208 to ratify (after the fact) payments made on demands which conform to a previously-adopted budget. I believe this is the situation in Lodi.

Claims Procedures
January 13, 1993
Page Two

In summary, it is my opinion that if Lodi did not have an adopted budget, the provisions of Section 37202 might apply and Council approval would be required before demands could be paid. However, since to my knowledge all the claims contained in the consent calendar for ratification are done pursuant to an approved budget, Section 37208 would apply.

Respectfully submitted,



BOB McNATT
City Attorney

BM:vc

attachment

cc: City Clerk

CCCLAIMS.2/TXTA.01V

§ 37202. Demands; audit; submission; certification

Except as provided in Section 37208, the legislative body shall approve or reject demands only after such demands have been audited in the manner prescribed by ordinance or resolution. Such audited demands may be submitted separately or a register of audited demands may be submitted to the legislative body for approval or rejection and shall have attached thereto the affidavit of the officer submitting the demands certifying as to the accuracy of the demands and the availability of funds for payment thereof.

(Added by Stats.1949, c. 79, p. 154, § 1. Amended by Stats.1951, c. 1248, p. 3095, § 1; Stats.1970, c. 261, p. 525, § 1.)

Historical Note

As added in 1949, this section read:
"The legislative body shall audit demands."
The 1951 amendment rewrote the section in its present form, except as modified by the 1970 amendment.

The 1970 amendment substituted the exception at the beginning of the first sentence for "The".
Derivation: See Derivation under § 37201.

Library References

Municipal Corporations ¶1012.
C.J.S. Municipal Corporations § 2177.

WESTLAW Electronic Research

See WESTLAW Electronic Research Guide following the Preface.

Notes of Decisions

Actions and proceedings, in general 3
Demands, in general 1
Mandamus 4
Nature and effect of determination 2

1. Demands, in general

Under Municipal Corporation Act, § 864, Stats.1883, pp. 266 et seq., declaring that all "demands" against a city or town of the sixth class shall be presented and audited by the board of trustees, etc., though the term "demands" was sufficiently broad to include claims for torts as well as on contracts, yet the purpose of the act being that the claim should be audited, which could not apply to claims for torts, the act did not require presentation of a claim for damages for the maintenance of a nuisance as a condition precedent to the plaintiff's right to sue thereon. *Adams v. City of Modesto* (1901) 63 P. 1083, 131 C. 501.

2. Nature and effect of determination

Under a city ordinance authorizing the fire superintendent to grant a fireman leave of absence with pay during a sickness contracted while on duty, the determination by the superintendent that a fireman's sickness was so contracted is conclusive, and the auditing board has no discretion to disallow the fireman's salary during such leave, though the pay roll as

made out and verified by fire chief must pass through the hands of the auditing committee in the ordinary course of business. *Jackson v. Wilde* (1921) 198 P. 822, 52 C.A. 259.

A city is not precluded, by its allowance of bills presented for rents accrued under a void contract, from showing that such bills were in excess of "the reasonable value of the property. *Higgins v. City of San Diego* (1896) 45 P. 824, 118 C. 524, modified in other respects 50 P. 670, 118 C. 524.

The action of the trustees of a city on the presentation of a claim which they have jurisdiction to hear and determine is a judicial act, and, whether right or wrong, is binding on the clerk. *McConoughey v. Jackson* (1894) 35 P. 863, 101 C. 265, 40 Am.St.R. 53.

3. Actions and proceedings, in general

The rejection of a claim against the city by its board of examiners does not affect the right of action against the city on the claim. *San Francisco Gas Co. v. City of San Francisco* (1856) 6 C. 190.

4. Mandamus

Where petitioner had been erroneously fined by city judge under a statute providing a penalty for a felony and fine and been paid into city treasury, in view of treasurer's restricted right





CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Lodi Parks and Recreation Commission Response to Five or Seven Member Board

MEETING DATE: January 20, 1993

PREPARED BY: Parks and Recreation Direction

RECOMMENDED ACTION: That the Mayor/City Council not increase the Parks and Recreation Commission from five to seven members.

BACKGROUND INFORMATION: At the City Council meeting of December 16, 1992, Mayor Pennino suggested that the Parks and Recreation Commission review the possibility of increasing the Commission from five to seven members. (See Exhibit A Council Short Minutes of December 16, 1992 and Exhibit B - Council Communication of December 16, 1992 Meeting.)

After a lengthy discussion by the Commission on pros and cons of each number membership, it was the opinion of the entire Commission that there was no major or monumental reason for enlargement of the Commission at this time. (See Exhibit C - Commission Minutes of January 5, 1993.)

Mr. Robert Johnson, Chairman of the Parks and Recreation Commission, will be in attendance to additionally discuss the Commission's position on this item should Council want same.

FUNDING: No basic change if Commission numbers stay the same. Should two (2) additional members be added, we would encourage the Council to provide enough financial assistance to include the new members to participate in local, C.P.R.S. District and State Conferences, and meetings that pertain to the Parks and Recreation endeavors and business. A figure of \$3,000 should then be added to the Parks and Recreation Administrative budget.

Ron Williamson
Director
Parks and Recreation Department

RW:srb
Attachment

cc: Bob McNatt, City Attorney

APPROVED: _____

THOMAS A. PETERSON
City Manager



recycled paper

CC-1

14. The City Council concurred with the following appointments made by Mayor Pennino to various City of Lodi Boards and Commissions:

Lodi Senior Citizens Commission

Joan Rostomily, four-year term expiring December 31, 1996

Michael Nilssen, four-year term expiring December 31, 1996

Personnel Board of Review

Peter Hetzner, four-year term expiring December 31, 1996

Site Plan and Architectural Review Committee

Donald Kundert, four-year term expiring January 1, 1997

Further, the City Council referred to the Lodi Parks and Recreation Commission for review and recommendation the Mayor's suggestion to increase the size of the Parks and Recreation Commission to seven members.

Further, the City Clerk was directed to place this matter on the City Council agenda for the January 20, 1992 meeting.

15. The City Council set a public hearing on January 20, 1993 to consider the appeal of Delta Signs and Crane Service of the Planning Commission's decision regarding signage for Walmart in the area of Kettleman Lane and Lower Sacramento Road.
16. The City Council concurred with the proposal by representatives of the Lodi District Chamber of Commerce regarding formation of an Economic Development Committee. Mayor Pennino indicated that he would like to serve as an "At Large" member and asked the other members of the City Council to advise him if they are interested in serving on this committee.
17. The City Council heard a presentation from California Waste Removal Systems regarding a proposed low-volume collection option and introduced Ordinance No. 1564 entitled, "An Uncodified Urgency Ordinance of the City Council of the City of Lodi Establishing Options for Refuse Collection and Setting Rates for Low-Volume Residential Waste Generators".
18. The City Council set parameters for the Citizens' Advisory Board regarding refuse rates as outlined by staff; however, it determined that the Federal Guidelines presently used by PG&E to determine economic hardships be used, and further, any citizen qualifying for exemption would be granted an \$8.00 per month rate for use of the 20 gallon low-volume container.
19. There were no ordinances for adoption.
20. The City Council met in closed session regarding the following matters:
- a) Litigation
 - I. George Stolberg vs City of Lodi
 - II. Kurt Bush, Jr. City of Lodi



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Appointments/Reappointments to Various City of Lodi Boards and Commissions

MEETING DATE: December 16, 1992

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council, by motion action, concur with the Mayor's following appointments/reappointments to various City of Lodi Boards and Commissions and set for the Council meeting of January 6, 1993 the consideration of expanding the Parks and Recreation Commission to seven members.

APPOINTMENTS

Lodi Senior Citizens Commission

- Joan Rostomily four-year term expiring December 31, 1996
- Michael Nilssen four-year term expiring December 31, 1996

REAPPOINTMENTS

Personnel Board of Review

- Peter Hetzner four-year term expiring January 17, 1997

Site Plan and Architectural Review Committee

- Donald Kundert four-year term expiring January 1, 1997

Recreation Commission

Set for the Council meeting of January 6, 1993, the consideration of expanding the Parks and Recreation Commission to seven members.

BACKGROUND INFORMATION: At the November 18, 1992 City Council meeting, the City Clerk was directed to post for these expiring terms.

The activities of the Recreation Commission are getting larger because of the size and depth of the territory we serve. The responsibilities of the Parks and Recreation Commission are more diverse today than they were years ago.

APPROVED: _____

THOMAS A. PETERSON
City Manager



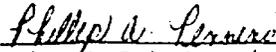
Appointments/Reappointments to Various Boards and Commissions
December 16, 1992
Page Two

Seventy percent of the applications I received were for the Parks and Recreation Commission. This indicates a lot of interest from the citizens in the Lodi area. Everyone of the applicants interviewed could serve on this commission and would do a good job.

The activities of this commission are getting too big for a five member commission. Because of this interest, I would like Council concurrence to put on the January 6, 1993 agenda, the possibility of expanding the Parks and Recreation Commission to seven members.

FUNDING: None required

Phillip A. Pennino
Mayor, City of Lodi


By Alice M. Reimche *AR*
City Clerk

AMR/jmp

Date: December 14, 1992
To: Fellow Council Members
From: Phillip Pennino
Re: Various Commissions and Boards

At the November 18th City Council Meeting, the Council directed the City Clerk to post the upcoming vacancies of the Boards and Commissions. Since that time 15 individuals have put in applications for appointment.

During this past week I have met with each individual to discuss the board and commission they applied for. The meeting took about 1/2 hour each and centered around the goals and objectives of the commission, and their vision for the future of that particular commission or board.

After *careful* consideration I would like Council concurrence on the following appointments:

Senior Citizens Commission:

Mrs. Joan Rostomily
Mr. Michael Nilssen

Personnel Board of Review:

Mr. Peter Hetzner (reappointment)

Site Plan and Architectural Review Committee:

Mr. Donald Kundert (reappointment)

Parks and Recreation Commission:

The activities of this commission is getting larger because of the size and depth of the territory we serve. The responsibilities of the Parks and the Recreation are more diverse today than they were years ago.

Seventy percent of the applications I received were for the Parks and Recreation Commission. This indicates a lot of interest from the citizens in the Lodi Area. Everyone of the applicants interviewed could serve on this commission and do a good job.

The activities of this commission are getting too big for a five member commission. Because of this interest, I would like council concurrence to put on the next agenda (January 6, 1993) the possibility of expanding the Parks and Recreation Commission to seven members.

Speaking on behalf of the request:

Mark Rowlands, 1431 Cardinal St., Lodi, CA (Club member)

Speaking against the request:

Sharon Hughes
Donna Phillips
Richard Draeger

Again, Commissioner Casalegno suggested that perhaps this issue should be opened up to the public for more comments. Commissioner Wall inquired if any fees have been established for the two events. Superintendent Field said the question of fees has not been addressed. Commissioner Melby's concern is not to discriminate by not allowing this club to race their boats.

On a motion by Commissioner Melby and a second by Ed Wall, the Commission approved the request of the Remote Control Boat Club to hold two weekend events at Lodi Lake during 1993.

Ayes - Commissioners Melby and Wall (2)

Noes - Commissioners Casalegno and Johnson (2)

Motion died

On motion by Commissioner Johnson and second by Elvera Melby, the Commission approved the Remote Control Boat Club to hold one weekend racing event at Lodi Lake Park on May 1 and 2, 1993.

Ayes - Commissioners Johnson, Melby, Casalegno, Wall

Motion carried 4 - 0

As questions regarding noise levels were introduced at tonight's meeting, the Commission recommends that at some future time additional noise studies be made. It was suggested that these tests be done the weekend of the races in 1993. Club Commodore, Rod Snoddy, is in agreement.

- C. Request by City Council Expanding Parks and Recreation Commission from Five to Seven Members - The Commission discussed the pros and cons of Council request, and on motion by Commissioner Wall and second by Bob Casalegno, the Commission recommends to retain the current Commission to five members.

Ayes - Commissioners, Wall, Casalegno, Johnson, Melby

Motion carried 4 - 0

MEMORANDUM

TO: Robert Johnson, Chairman
Parks and Recreation Commission

FROM: Philip A. Pennino, Mayor

DATE: December 30, 1992

SUBJ: Possible Expansion of Parks and Recreation Commission

As you are aware, the terms of two members of the Parks and Recreation Commission are up at the end of this month. In an effort to fill those positions, an announcement was made in the newspaper and applications were taken from those interested in serving on the commission.

I must say that I was impressed by the number of applicants. A total of eleven individuals applied. These eleven (including the two current members) were each interviewed for approximately one-half hour. At the end of those interviews I realized there were a lot of people who could add a great deal to the scope of the Parks and Recreation program for Lodi.

In that regard, I requested of the City Council at our December 16 meeting that we consider expanding the Parks and Recreation Commission to seven members. As the City of Lodi and the area that the Parks and Recreation Department services expands, I believe there is a need to broaden the commission. The Parks and Recreation Commission plays a key role in the overall City organization. I note that two other key commissions, the Planning Commission and the Senior Citizens Commission both have seven members.

At your January meeting would you please discuss the pros and cons to this possible expansion? I would appreciate a response so it can be put on the agenda for the City Council meeting of January 20.


Phillip A. Pennino, Mayor

PAP:bx

c: City Manager
Parks and Recreation Director

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CITY COUNCIL

PHILIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY C. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
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THOMAS A. PETERSON
City Manager

JENNIFER M. PERRIN
City Clerk

BOB McNATT
City Attorney

January 21, 1993

Mr. Bob Johnson
Chairperson
Lodi Parks and Recreation Commission
1311 Midvale Road
Lodi, California 95240

Dear Bob:

At the City Council meeting of January 20, 1993, the City Council heard the matter regarding the possible expansion of the Lodi Parks and Recreation Commission from five to seven members as suggested by Mayor Pennino in his memo to you dated December 30, 1992.

Following discussion of this matter, the City Council, by a 4 -1 vote, determined it would take no further action on the matter.

If you have any questions regarding the matter, please feel free to contact our office.

Very truly yours,


Jennifer M. Perrin
City Clerk

JMP





CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Resignation of Steve Scott from the Lodi Parks and Recreation Commission

MEETING DATE: January 20, 1993

PREPARED BY: City Clerk

RECOMMENDED ACTION: Information only.

BACKGROUND INFORMATION: Attached you will find a copy of the letter of resignation which was received from Lodi Parks and Recreation Commissioner Steve Scott. Mr. Scott has served on the Parks and Recreation Commission since December 1988 and his term was due to expire on December 31, 1992. Council will recall that the City Clerk was directed to post for this expiring term at the City Council meeting of November 18, 1993. It is with regret that we accept Mr. Scott' resignation.

FUNDING: None required.

Jennifer M. Perrin
Jennifer M. Perrin
City Clerk

JMP

COUNCO65/TXTA.02J/COUNCOM

APPROVED. _____

THOMAS A. PETERSON
City Manager



recycled paper

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CITY CLERK
CITY OF LODI

January 3, 1993

Lodi City Council
Mayor Phil Pennino:

It is with regret that I have, for personal reasons, decided to terminate my position on the Lodi Parks and Recreation Commission, effective immediately. I leave the Commission with a sense of accomplishment and gratitude. Lodi Parks and Recreation will continue to be an interest of mine and a source of my support. I wish the Commission well in future endeavors.

Sincerely,

Steve Scott

Steve Scott